

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
2014 SEP 19 P 1:23
U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

IN RE:

CASE NO: 13-53846
CHAPTER: 9
JUDGE: Steven Rhodes

Debtor.
City of Detroit, Michigan
to allow Walter Gary Knall to file amended
MOTION FOR TO Exhibit PS 14704

to File Amended Exhibit
NOW COMES Debtor(s), and brings this motion for/to Bankruptcy court to accept
PS 14704.
Corrected Exhibit PS 14704. In support of Debtor(s)'s motion, Debtor states the following

[state the facts]:

1. There were two typo errors for Lines 1 & 2 of Exhibit
PS 14704.
2. It should state Class 11 not class 10 & have \$42,421.64
not 42,4231.64 for Alternative A.
3. Debtor requests the court to consider the corrections.

WHEREFORE, Debtor requests this Court to consider Debtor's Motion for/to accept corrected
Amended
Exhibit PS 14704 and afford Debtor what further relief this Court deems equitable
and just. A copy of a proposed Order is attached hereto.

Dated: 19th September, 2014

Respectfully submitted,

Walter Gary Knall
(Debtor's Signature)
Print Name: Walter Gary Knall

(Co-Debtor's Signature)
Print Name: _____

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

IN RE:

CASE NO: 13-53846
CHAPTER: 9
JUDGE: Steven Rhodes

Debtor.
City of Detroit, Michigan /

ORDER GRANTING MOTION FOR/TO accept ~~amended~~ corrected
Exhibit PS 14704

This matter having come before the Court on Debtor's motion for/to Correct
Exhibit PS 14704, the Court having considered the motion, and having found
cause:

IT IS ORDERED that the motion is granted.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Chapter 9

Case No. 13-53846

City of Detroit, Michigan,

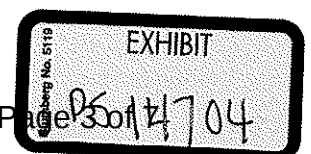
Debtor.

**MOTION OF OBJECTOR WALTER GARY KNALL
TO PARTICIPATE AT CONFIRMATION HEARING**

Walter Gary Knall states as follows

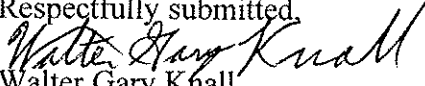
INTRODUCTION/ PROCEDURAL BACKGROUND

1. I received a ballot to vote as a holder of a Class ^{11 WSK} ~~Q~~ pension claim
2. The ballot stated that my pension was subject to an Annuity Savings Plan Recoupment of \$42,421.64 under Alternative A and \$85,201.67 under Alternative B. Exhibit 1, ^{42,421.64 WSK} attached.
3. There was no explanation as the basis for the claim that I owed either of these amounts, and certainly, I engaged in no fraud or deceit with regard to my annuity which I subscribed to with my own money and on terms that were presented to me by the Pension Board. I concur in the objection of Michael Karkowski, document 5923, to the legality of this annuity recoupment.
4. The ballot made no mention of the 6.75% interest that I subsequently learned is being claimed as part the monthly "annuity repayment."
5. The ballot had no amortization schedule attached to it outlining what percentage of the monthly payment being deducted from my pension was for interest and what percentage was being applied to the principal allegedly owed.



6. The ballot did not spell out whether the total estimated amount of the annuity savings plan recoupment under either Alternative A or Alternative B included the 6.75% interest rate or how it was calculated.
7. I subsequently received a letter dated June 28, 2014 informing me of the right pay off the annuity recoupment in a single lump sum. Exhibit 2, attached. This letter only added to the confusion by not specifying the amount of the lump sum payment, especially in light of the different payback amounts asserted under Alternative A and Alternative B.
8. The inadequacy of the disclosure in the ballot provided and subsequent letter violates basis consumer rights as enumerated in the Truth in Lending Act and under regulations formulated by the Consumer Finance Protection Bureau.
9. The idea that I and my fellow retirees should be asked to vote on a plan requiring us to pay tens of thousands of dollars back out of meager pensions on interest earned from our contributions in a plan for which the city solicited our participation, without knowing the precise terms under which the payback is being calculated, is outrageous and illegal.
10. I would ask the court for an opportunity to appear on August 29 to present the exhibits listed above and testify on my own behalf. I expect my testimony to take about 15 minutes.
11. I will be asking the court to strike the annuity recoupment plan or in the alternative to write into the plan of adjustment the city to be provide each retiree an accounting of how the amount was calculated, and an interest free method of recoupment.

Respectfully submitted,


Walter Gary Knall

15380 Evergreen Rd.

Detroit, Michigan 48223

313-534-2744 (home)

UNITED STATES BANKRUPTCY COURT
Eastern District of Michigan

FILED

2014 SEP 19 P 1:23

In re:

Chapter: 9

Case No.: 13-53846

Judge: Steven Rhodes

City of Detroit, Michigan
Debtor(s)

Address _____

Last four digits of Social Security or
Employer's Tax Identification (EIN) No(s), (if any): _____

NOTICE OF [MOTION] [OBJECTION]

To participate at confirmation hearing
Debtor has filed papers with the court
to City of Detroit, Michigan
{relief sought in motion or objection}

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)
motion of objection written by Gary Knall to participate at

If you do not want the court to confirmation hearing [relief sought in motion or objection], or if you want the court to consider your views on the [motion] [objection], within 14 days, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:¹

United States Bankruptcy Court
211 West Fort Street
Detroit, Michigan

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to [enter your name and address and name and address of others to be served]:

Walter Gary Knall
15380 Evergreen Rd
Detroit, Michigan 48223-1741

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: 19th September, 2014

Signature Walter Gary Knall
Name
Address 15380 Evergreen Rd
Detroit, Michigan 48223

¹ Response or answer must comply with F. R. Civ. P. 8(b), (c) and (e)

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

FILED

CASE NO: 13-53846

CHAPTER: 9

JUDGE: Steven Rhodes

Debtor: City of Detroit, Michigan

2014 SEP 19 P 1:23

U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

CERTIFICATE OF SERVICE

I hereby certify that on 9th September, 2014 (date of mailing), I served
copies as follows:

1. Document(s) served: Motion of objector Walter Gary Knall
to participate at confirmation Hearing

2. Served upon [name and address of each person served]:

~~Walter Gary Knall~~ Upon City of Detroit Council
~~15380 Evergreen Rd~~
~~Detroit, Michigan~~ Heather Lennox
222 E. 41st. St.
New York, New York 10017

David Gilbert Heiman
901 Lakeside ave.
Cleveland OHIO 44114

3. By First Class Mail.

Dated: 19th September, 2014

Walter Gary Knall
(Signature of Debtor)

Print Name: Walter Gary Knall

(Signature of Co-Debtor)

Print Name: _____